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DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT

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See Center file
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November 2, 1961

MEMORANDUM FOR MR. MCGEORGE BUNDY
THE WHITE HOUSE

Subject: Geneva Negotiations on Laos

Enclosed for your information is a memorandum for the record prepared by Mr. U. Alexis Johnson concerning the telephone conversations between the President and Ambassador Harriman last evening and this morning. Mr. Johnson has not had an opportunity to review the enclosed memorandum after dictating it this morning.

LDB
L. D. Battle

Enclosures:
Memo for the Record
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MEMORANDUM FOR THE RECORD

SUBJECT: Geneva Negotiations on Laos

On the evening of November 1, the President telephoned to Ambassador Harriman at Geneva to discuss the question of the draft section on reports by the ICC. (For ready reference, following is the text which Ambassador Harriman desired to accept.)

QUOTE The International Commission shall submit agreed reports on investigations. Nevertheless, if differences on particular questions emerge among the members of the Commission these differences may be appropriately reflected in the reports.

QUOTE Conclusions and recommendations of the Commission on investigations shall be adopted unanimously in accordance with Article _____ on voting. END QUOTE

The President expressed his concern as to whether the Poles could block the issuance of a report containing minority Canadian views in view of the use of the term "agreed" in the first sentence of the draft. Ambassador Harriman explained his view that this would not be possible and that all the principal delegations including the Soviets agreed on this. Ambassador Harriman explained that the U.S. was the only delegation withholding its agreement and that he felt it urgent we should proceed.

Following the conversation, DepTel FECOM 554 was sent to Ambassador Harriman.

In response to that telegram, Ambassador Harriman telephoned the President at 8:00 a.m. on November 2. Ambassador Harriman stated that the draft gave Pushkin the "façade" that he was seeking while giving us the "substance" that we were seeking. He stated that investigations could be initiated and carried out at the request of the RLG or a majority of the ICC. With respect to reporting, all three parties could freely express their individual views to the degree that they desired, but that this would be incorporated in a single document which Pushkin desired to have called an "agreed report." Pushkin took the position that it would be "impossible

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to imagine" such a report being held up by the refusal of one member of the ICC to sign. While the first sentence used the term "agreed", the next sentence made it completely clear that minority views could be freely expressed. Ambassador Harriman stated that all the delegations agreed on this and that the Indians would confirm in writing. Ambassador Harriman stated that in addition to Iaid, Desai of the Indian Foreign Office confirmed the Indian interpretation of this article. The controlling word was "shall" in the first sentence. Ambassador Harriman stated that all of his staff also agreed on this.

The President expressed his concern that if the Communists do violate the agreement that the Canadians and/or Indians be able promptly to report what they found and that the language of any document agreed upon would not inhibit this. Ambassador Harriman stated that if one member of the IOC refused to sign a report it would be a breach of the agreement and a breaking of the obligations of the members of the ICC. Ambassador Harriman expressed his concern that the conference could "blow up" and it was important to get ahead. He also expressed his concern that Phoumi was dragging his feet with regard to formation of a government and it was important that Phoumi act in good faith in this regard. While Phoumi can make excuses, the important thing is that he gets ahead. Ambassador Harriman also expressed his concern over the Nee shelling of Xiang Khouang. The President said that he understood one of the blocks was that Souphanouvong had gone to Hanoi.

The President said that Harriman should obtain from the Indians confirmation in writing of the interpretation of this article, and in the meanwhile, authorized Ambassador Harriman to go ahead and agree to the draft language of the article. The President asked Ambassador Harriman to send him a cable on the subject.

The President requested Mr. Johnson to see what additional we could do to stop Nee attacks or other actions that might upset the situation and to get Phoumi moving better on the formation of a government.

U. Alexis Johnson

cc: Mr. Bundy - The White House

FE - Mr. McCaughy

G: UAJohnson:nlh

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